Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT
Issued under 401 KAR 52:040

Permittee Name:	**Enterprise Mining Company, LLC**
Mailing Address:	**117 Madison Avenue, Suite B** **Whitesburg, Kentucky 41858**
Source Name:	**Pioneer Preparation Plant**
Mailing Address:	**Same as above**
Source Location:	**Yellow Creek Road off Rt. 15 E** **Sassafras, Kentucky 41759**
Permit Number:	**S-07-011**
Source A. I. #:	**2516**
Activity #:	**APE20050001**
Review Type:	**Construction / Operating**
Source ID #:	**21-119-00018**
Regional Office:	**Hazard Regional Office** **233 Birch Street, STE 2** **Hazard, KY 41701-2179** **(606) 435-6022**
County:	**Knott**
Application Complete Date:	**January 8, 2007**
Issuance Date:	**January 18, 2007**
Revision Date:	
Expiration Date:	**January 18, 2017**

John S. Lyons, Director
Division for Air Quality

Revised 10/19/05

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application, which was determined to be complete on January 8, 2007, the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify an affected facility without first having submitted a complete application and receiving a permit for the planned activity from the Division, except as provided in this permit or in Regulation 401 KAR 52:040, State-origin permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining other permits, licenses, or approvals that may be required by the Cabinet or other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT:

01 (TP-01) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[Truck Dump to Receiving Hopper (BS-01) or Stockpile (OS-8)]
Constructed: 1992
Control: Water Spray

(-) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[Front-end Loader from Stockpile (OS-8) to Receiving Hopper (BS-01)]
Constructed: 1992
Control: Water Spray

(BS-01) Receiving Hopper (Truck Dump – Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[From Truck Dump or Front-end Loader to Screen (SS-01)]
Constructed: 1992
Control: Full Enclosure

(SS-01) Screen (Tabor Single-Deck Scalping)
(Maximum Rated Capacity – 1000 tons/hour)
[From Receiving Hopper (BS-01) to Crusher (CR-01)]
Constructed: 2004
Control: Full Enclosure

(CR-01) Primary Crusher (Gunlach 60DA - Double Roll)
(Maximum Rated Capacity – 1000 tons/hour)
[From Screen (SS-01) to Conveyor (BC-01)]
Constructed: 1992
Control: Full Enclosure

(BC-01) Conveyor and Transfer Points (Raw Coal) (36” x 470’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Primary Crusher (CR-01) to Stacking Tube Silo for Open Stockpile (OS-1)]
Constructed: 1992
Control: Full Enclosure

(TP-73) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[Front-end Loader from Stockpile (OS-9) to Receiving Hopper (BS-12)]
Constructed: 2004
Control: Water Spray

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BS-12) Receiving Hopper (Front-end Loader – Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[To Conveyor (BC-27)]
Constructed: 2004
Control: Full Enclosure

(BC-27) Conveyor and Transfer Points (Raw Coal) (42" x 70')
(Maximum Rated Capacity – 1000 tons/hour)
[From Receiving Hopper (BS-12) to Conveyor (BC-29)]
Constructed: 2004
Control: Partial Enclosure

(TP-73) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[Front-end Loader from Stockpile (OS-9) to Receiving Hopper (BS-13)]
Constructed: 2004
Control: Water Spray

(BS-13) Receiving Hopper (Front-end Loader – Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[To Primary Crusher (CR-05)]
Constructed: 2004
Control: Full Enclosure

(CR-05) Primary Crusher (Stamler Rotary Breaker)
(Maximum Rated Capacity – 1000 tons/hour)
[From Receiving Hopper (BS-13) to Conveyor (BC-28)]
Constructed: 2004
Control: Full Enclosure

(BC-28) Conveyor and Transfer Points (Raw Coal) (42" x 70')
(Maximum Rated Capacity – 1000 tons/hour)
[From Crusher (CR-05) to Conveyor (BC-29)]
Constructed: 2004
Control: Partial Enclosure

(BC-29) Conveyor and Transfer Points (Radial Stacker) (Raw Coal) (48" x 150')
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyors (BC-27) and (BC-28) to Stockpile (OS-10) and Receiving Hopper (BS-14)]
Constructed: 2004
Control: Partial Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BS-14) Receiving Hopper (Truck Dump – Stoker Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[From Radial Stacker (BC-29) and Front-end Loader to Conveyor (BC-02)]
Constructed: 2004
Control: Full Enclosure

(BC-02) Conveyor and Transfer Points (Plant Feed) (Raw Coal) (36" x 1175')
(Maximum Rated Capacity – 1000 tons/hour)
[From under Stockpiles (OS-1) and (OS-10) and Receiving Hopper (BS-14) to Preparation Plant (-)]
Constructed: 1992
Control: Full Enclosure

(-) Preparation Plant (Wet Process – No Emissions)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-02) to Conveyors (BC-25), (BC-26), (BC-03) and (BC-04)]
Constructed: 1992
Control: Wet Process

(BC-25) Conveyor and Transfer Points (Prep Plant Stoker) (30" x 30')
(Maximum Rated Capacity – 500 tons/hour)
[From Preparation Plant (-) to Storage Bin (BS-10)]
Constructed: 1992
Control: Partial Enclosure

(BS-10) Storage Bin (Stoker Preparation Plant)
(Maximum Rated Capacity – 500 tons/hour)
[From Conveyor (BC-25) to Truck Loadout (TP-10)]
Constructed: 1992
Control: Full Enclosure

(TP-10) Truck Loadout (Prep Plant Stoker)
(Maximum Rated Capacity – 500 tons/hour)
[From Storage Bin (BS-10)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BC-26) Conveyor and Transfer Points (Refuse Belt) (30" x 204')
(Maximum Rated Capacity – 450 tons/hour)
[From Preparation Plant (-) to Storage Bin (BS-11)]
Constructed: 1992
Control: Partial Enclosure

(BS-11) Storage Bin (Refuse)
(Maximum Rated Capacity – 450 tons/hour)
[From Conveyor (BC-26) to Truck Loadout (TP-69)]
Constructed: 1992
Control: Full Enclosure

(TP-69) Truck Loadout (Refuse)
(Maximum Rated Capacity – 450 tons/hour)
[From Storage Bin (BS-11)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

(BC-03) Conveyor and Transfer Points (Fines Belt) (36" x 255')
(Maximum Rated Capacity – 1000 tons/hour)
[From Preparation Plant (-) to Storage Bins (BS-02), (BS-03), (BS-04), and (BS-05)]
Constructed: 1992
Control: Full Enclosure

(BC-04) Conveyor and Transfer Points (Stoker) (36" x 265')
(Maximum Rated Capacity – 1000 tons/hour)
[From Preparation Plant (-) to Storage Bins (BS-02), (BS-03), (BS-04), and (BS-05)]
Constructed: 1992
Control: Full Enclosure

(BS-02) Storage Bin (Fines)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyors (BC-03) and (BC-04) to Truck Loadout (TP-13)]
Constructed: 1992
Control: Full Enclosure

(TP-13) Truck Loadout (Fines)
(Maximum Rated Capacity – 1000 tons/hour)
[From Fines Storage Bin (BS-02)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BS-03) Storage Bin (Fines)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyors (BC-03) and (BC-04) to Truck Loadout (TP-13)]
Constructed: 1992
Control: Full Enclosure

(TP-13) Truck Loadout (Fines)
(Maximum Rated Capacity – 1000 tons/hour)
[From Fines Storage Bin (BS-03)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

(BS-04) Storage Bin (Surge)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyors (BC-03) and (BC-04) to Truck Loadout (TP-13)]
Constructed: 1992
Control: Full Enclosure

(TP-13) Truck Loadout
(Maximum Rated Capacity – 1000 tons/hour)
[From Surge Storage Bin (BS-04)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

(BS-05) Storage Bin (Surge)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyors (BC-03) and (BC-04) to Truck Loadout (TP-13)]
Constructed: 1992
Control: Full Enclosure

(TP-13) Truck Loadout
(Maximum Rated Capacity – 1000 tons/hour)
[From Surge Storage Bin (BS-05)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

(BC-05) Conveyor and Transfer Points (Stoker) (36” x 75’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyors (BC-03) and (BC-04) to Storage Bin (BS-06)]
Constructed: 1992
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BS-06) Storage Bin (Stoker)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-05) to Truck Loadout (TP-18)]
Constructed: 1992
Control: Full Enclosure

(TP-18) Truck Loadout (Stoker)
(Maximum Rated Capacity – 1000 tons/hour)
[From Stoker Storage Bin (BS-06)]
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

(BC-06) Conveyor and Transfer Points (Clean Coal) (36" x 2490')
(Maximum Rated Capacity – 1000 tons/hour)
[From Storage Bins (BS-02), (BS-03), (BS-04), and (BS-05) to Weigh Bin (BS-07)]
Constructed: 1992
Control: Full Enclosure

(BS-07) Weigh Bin
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-06) to Conveyor (BC-07)]
Constructed: 1992
Control: Full Enclosure

(BC-07) Conveyor and Transfer Points (Clean Coal) (36" x 695')
(Maximum Rated Capacity – 1000 tons/hour)
[From Weigh Bin (BS-07) to Conveyor (BC-08)]
Constructed: 1992
Control: Full Enclosure

(BC-08) Conveyor and Transfer Points (Clean Coal) (36" x 2900')
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-07) to Conveyors (BC-09), (BC-11), and (BC-12)]
Constructed: 1992
Control: Full Enclosure

(BC-09) Conveyor and Transfer Points (Stockpile Feed) (36" x 520')
(Maximum Rated Capacity – 1550 tons/hour)
[From Conveyor (BC-08) to Stacking Tube Silo for Open Stockpile (OS-2)]
Constructed: 1992
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (TP-37) Truck Loadout (Stoker Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[Truck Dump to Receiving Hopper (BS-08)]
Constructed: 2004
Control: Water Spray

(BS-08) Receiving Hopper (Truck Dump – Stoker Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[To Conveyor (BC-15)]
Constructed: 1992
Control: Full Enclosure

(BC-15) Conveyor and Transfer Points (Screen Feed) (Clean Coal) (42” x 66’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Receiving Hopper (BS-08) to Crushing / Screening Building)
Constructed: 1992
Control: Full Enclosure

(SS-02) Screen (Centronic Grizzly)
(Inside Crushing / Screening Building)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-15) to Conveyors (BC-16) or (BC-18)]
Constructed: 1992
Control: Full Enclosure

(SS-03) Screen (Tabor 8’ x 20’ Triple-Deck)
(Inside Crushing / Screening Building)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-15) to Conveyors (BC-16) or (BC-18)]
Constructed: 1992
Control: Full Enclosure

(SS-04) Screen (Tabor 8’ x 20’ Double-Deck)
(Inside Crushing / Screening Building)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-15) to Conveyors (BC-16) or (BC-18)]
Constructed: 1992
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (CR-02) Primary Crusher (Gunlach 60SNA - Roll Breaker)
(Inside Crushing / Screening Building)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-15) to Conveyors (BC-16) or (BC-18)]
Constructed: 1992
Control: Full Enclosure

(CR-03) Primary Crusher (Gunlach 80DA)
(Inside Crushing / Screening Building)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-15) to Conveyors (BC-16) or (BC-18)]
Constructed: 1992
Control: Full Enclosure

(BC-16) Conveyor and Transfer Points (Clean Coal) (42” x 75’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Crushing / Screening Building to Conveyor (BC-17)
Constructed: 1992
Control: Full Enclosure

(BC-17) Conveyor and Transfer Points (Stockpile Feed) (42” x 193’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-16) to Stacking Tube Silo for Open Stockpile (OS-2)]
Constructed: 1992
Control: Full Enclosure

(BC-10) Conveyor and Transfer Points (Stockpile Feed) (36” x 300’)
(Maximum Rated Capacity – 1550 tons/hour)
[From Stacking Tube Silo for Open Stockpile (OS-2) to Stacking Tube Silo for Open Stockpile (OS-3)]
Constructed: 1992
Control: Full Enclosure

(BC-18) Conveyor and Transfer Points (Stockpile Feed) (42” x 336’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Crushing / Screening Building to Stacking Tube Silo for Open Stockpile (OS-3)]
Constructed: 1992
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BC-11) Conveyor and Transfer Points (Stockpile Feed) (36" x 315')
(Maximum Rated Capacity – 1550 tons/hour)
[From Conveyor (BC-08) to Stacking Tube Silo for Open Stockpile (OS-3)]
Constructed: 1992
Control: Full Enclosure

(BC-13) Conveyor and Transfer Points (Stockpile Feed) (42" x 234')
(Maximum Rated Capacity – 1550 tons/hour)
[From Stacking Tube Silo for Open Stockpile (OS-3) to Open Stockpile (OS-4) and Stacking Tube Silo for Open Stockpile (OS-5)]
Constructed: 1992
Control: Full Enclosure

(BC-12) Conveyor and Transfer Points (Clean Coal) (36" x 370')
(Maximum Rated Capacity – 1550 tons/hour)
[From Conveyor (BC-08) to Stacking Tube Silo for Open Stockpile (OS-5)]
Constructed: 2004
Control: Full Enclosure

(BC-14) Conveyor and Transfer Points (Clean Coal) (42" x 300')
(Maximum Rated Capacity – 1550 tons/hour)
[From Stacking Tube Silo for Open Stockpile (OS-5) to Stacking Tube Silo for Open Stockpile (OS-6)]
Constructed: 2004
Control: Full Enclosure

(BC-19) Conveyor and Transfer Points (Tunnel Belt) (60" x 508')
(Maximum Rated Capacity – 4800 tons/hour)
[Tunnel Belt from under Stockpiles (OS-6), (OS-5), (OS-4), and (OS-3) to Conveyor (BC-20)]
Constructed: 1992
Control: Full Enclosure

(BC-20) Conveyor and Transfer Points (Clean Coal) (60" x 120')
(Maximum Rated Capacity – 4800 tons/hour)
[From Conveyor (BC-19) to Conveyor (BC-21)]
Constructed: 1992
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

COAL PREPARATION PLANT: (CONTINUED)

01 (BC-21) Conveyor and Transfer Points (Tunnel Belt) (60" x 800')
(Maximum Rated Capacity –4800 tons/hour)
[Tunnel Belt from under Stockpile (OS-2) and from Conveyor (BC-20) to Conveyor (BC-22)]
Constructed: 1992
Control: Full Enclosure

(BC-22) Conveyor and Transfer Points (Loadout Feed) (60" x 488')
(Maximum Rated Capacity – 4800 tons/hour)
[From Conveyor (BC-21) to Railcar Loadout Bin (TP-58)]
Constructed: 1992
Control: Full Enclosure

(TP-58) Railcar Loadout Bin #1
(Maximum Rated Capacity – 4800 tons/hour)
[From Conveyor (BC-22)]
Constructed: 1992
Control: Full Enclosure

(-) Railcar Loadout #1
(Maximum Rated Capacity –4800 tons/hour)
Constructed: 1992
Control: Telescoping Chute – Full Enclosure

(BC-23) Conveyor and Transfer Points (Clean Coal) (60" x 100')
(Maximum Rated Capacity – 4800 tons/hour)
[From Conveyor (BC-22) to Railcar Loadout Bin (TP-61)]
Constructed: 2004
Control: Full Enclosure

(TP-61) Railcar Loadout Bin #2
(Maximum Rated Capacity – 4800 tons/hour)
[From Conveyor (BC-23)]
Constructed: 2004
Control: Full Enclosure

(-) Railcar Loadout #2
(Maximum Rated Capacity – 4800 tons/hour)
Constructed: 2004
Control: Telescoping Chute – Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

PORTABLE STOKER COAL TIPPLE:

03 (TP-62) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 400 tons/hour)
[Front-end Loader from Stockpile (OS-9) to Receiving Hopper (BS-09)]
Constructed: 2000
Control: Water Spray

(BS-09) Receiving Hopper (End-Loader – Raw Coal)
(Maximum Rated Capacity – 400 tons/hour)
[To Primary Crusher (CR-04)]
Constructed: 2000
Control: Partial Enclosure

(CR-04) Primary Crusher (Single Roll)
(Maximum Rated Capacity – 400 tons/hour)
[From Receiving Hopper (BS-09) to Conveyor (BC-24)]
Constructed: 2000
Control: Full Enclosure

(BC-24) Conveyor and Transfer Points (Clean Coal) (30” x 50’)
(Maximum Rated Capacity – 400 tons/hour)
[From Primary Crusher (CR-04) to Open Stockpile (OS-7)]
Constructed: 2000
Control: Partial Enclosure

(TP-66) Truck Loadout
(Maximum Rated Capacity – 400 tons/hour)
[From Stockpile (OS-7)]
Constructed: 2000
Control: Minimum Drop Height

DIRECT SHIP:

06 (TP-71) Truck Loadout
(Maximum Rated Capacity – 1000 tons/hour)
[Front-end Loader from Stockpile (OS-11) to Receiving Hopper (BS-15)]
Constructed: 2004
Control: Minimum Drop Height

(BS-15) Receiving Hopper (Direct Ship) (End-Loader – Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[To Conveyor (BC-06)]
Constructed: 2004
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

ADDITIONS TO THE SOURCE

DIRECT SHIP:

08 (TP-103) Truck Loadout
(Maximum Rated Capacity – 1000 tons/hour)
[Truck Dump to Receiving Hopper (BS-18)]
Constructed: 2005
Control: Minimum Drop Height

(BS-18) Receiving Hopper (Truck Dump – Raw Coal)
(Maximum Rated Capacity – 1000 tons/hour)
[To Conveyor (BC-42)]
Constructed: 2005
Control: Full Enclosure

(BC-42) Conveyor and Transfer Points (Raw Coal) (36” x 50’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Receiving Hopper (BS-18) to Crusher (CR-06)]
Constructed: 2005
Control: Partial Enclosure

(CR-06) Primary Crusher (Double Roll)
(Maximum Rated Capacity – 1000 tons/hour)
[From Conveyor (BC-42) to Conveyor (BC-43)]
Constructed: 2005
Control: Full Enclosure

(BC-43) Conveyor and Transfer Points (Raw Coal) (36” x 100’)
(Maximum Rated Capacity – 1000 tons/hour)
[From Crusher (CR-06) to Conveyor (BC-04)]
Constructed: 2005
Control: Partial Enclosure

PORTABLE CRUSHING / SCREENING PLANT:

09 (TP-108) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 500 tons/hour)
[Front-end Loader to Receiving Hopper (BS-19)]
Constructed: 2005
Control: Minimum Drop Height

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

ADDITIONS TO THE SOURCE (CONTINUED)

PORTABLE CRUSHING / SCREENING PLANT: (CONTINUED)

09 (BS-19) Receiving Hopper (Front-end Loader – Raw Coal)
(Maximum Rated Capacity – 500 tons/hour)
[To Crusher (CR-07)]
Constructed: 2005
Control: Partial Enclosure

(CR-07) Primary Crusher (Double Roll)
(Maximum Rated Capacity – 500 tons/hour)
[From Receiving Hopper (BS-19) to Conveyor (BC-44)]
Constructed: 2005
Control: Full Enclosure

(BC-44) Conveyor and Transfer Points (Clean Coal) (36" x 25')
(Maximum Rated Capacity – 500 tons/hour)
[From Primary Crusher (CR-07) to Screen (SS-06)]
Constructed: 2005
Control: Partial Enclosure

(SS-06) Screen (Double-Deck)
(Maximum Rated Capacity – 500 tons/hour)
[From Conveyor (BC-44) to Conveyors (BC-45), (BC-46), and (BC-47)]
Constructed: 2005
Control: Full Enclosure

(BC-45) Conveyor and Transfer Points (Clean Coal) (36" x 30')
(Maximum Rated Capacity – 500 tons/hour)
[From Screen (SS-06) to Stockpile (OS-12)]
Constructed: 2005
Control: Partial Enclosure

(TP-118) Truck Loadout (Clean Coal)
(Maximum Rated Capacity – 500 tons/hour)
[From Stockpile (OS-12)]
Constructed: 2005
Control: Minimum Drop Height

(BC-46) Conveyor and Transfer Points (Clean Coal) (36" x 30')
(Maximum Rated Capacity – 500 tons/hour)
[From Screen (SS-06) to Stockpile (OS-13)]
Constructed: 2005
Control: Partial Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

ADDITIONS TO THE SOURCE (CONTINUED)

PORTABLE CRUSHING / SCREENING PLANT: (CONTINUED)

09 (TP-118) Truck Loadout (Raw Coal)
(Maximum Rated Capacity – 500 tons/hour)
[From Stockpile (OS-13)]
Constructed: 2005
Control: Minimum Drop Height

(BC-47) Conveyor and Transfer Points (Clean Coal) (36" x 30')
(Maximum Rated Capacity – 500 tons/hour)
[From Screen (SS-06) to Stockpile (OS-14)]
Constructed: 2005
Control: Partial Enclosure

(TP-118) Truck Loadout (Clean Coal)
(Maximum Rated Capacity – 500 tons/hour)
[From Stockpile (OS-14)]
Constructed: 2005
Control: Minimum Drop Height

APPLICABLE REGULATIONS:

State Regulation 401 KAR 60:005, Standards of performance for new stationary sources, which incorporates by reference 40 CFR 60.250 (40 CFR 60, Subpart Y), applies to each of the affected facilities listed above.

1. Operating Limitations:

N/A

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

2. Emission Limitations:

Fugitive emissions from the nine receiving hoppers, emission points 01 (BS-01), (BS-08), (BS-12), (BS-13), (BS-14), 03 (BS-09), 06 (BS-15), 08 (BS-18), and 09 (BS-19); the five screens, emission points 01 (SS-01), (SS-02), (SS-03), (SS-04), and 09 (SS-06); the seven primary crushers, emission points 01 (CR-01), (CR-02), (CR-03), (CR-05), 03 (CR-04), 08 (CR-06), and 09 (CR-07); the thirty-five conveyors and transfer points, emission points 01 (BC-01), (BC-02), (BC-03), (BC-04), (BC-05), (BC-06), (BC-07), (BC-08), (BC-09), (BC-10), (BC-11), (BC-12), (BC-13), (BC-14), (BC-15), (BC-16), (BC-17), (BC-18), (BC-19), (BC-20), (BC-21), (BC-22), (BC-23), (BC-25), (BC-26), (BC-27), (BC-28), (BC-29), 03 (BC-24), 08 (BC-42), (BC-43), 09 (BC-44), (BC-45), (BC-46), and (BC-47); the seven storage bins, emission points 01 (BS-02), (BS-03), (BS-04), (BS-05), (BS-06), (BS-10), and (BS-11); the one weigh bin, emission point 01 (BS-07); the twenty truck loadouts, emission points, 01 (TP-01), (TP-10), (TP-13), (TP-18), (TP-37), (TP-69), (TP-73), (-), 03 (TP-62), (TP-66), 06 (TP-71), 08 (TP-103), 09 (TP-108), and (TP-118); the two railcar loadout bins, emission points 01 (TP-58) and (TP-61); and the two railcar loadouts, emission points 01 (-); shall not exhibit greater than twenty percent (20%) opacity, each, as specified in 40 CFR 60.252(c).

Compliance Demonstration Method:

a. In determining compliance with the opacity standards as listed above, the owner or operator shall use, as directed by 40 CFR 60.254(b)(2), Method 9 and the procedures as described in 40 CFR 60.11.

b. See Section C, General Condition F.1.

3. Testing Requirements:

See Section C, General Condition G.3.

4. Monitoring Requirements:

See Section C, General Condition F.1.

5. Recordkeeping Requirements:

See Section C, General Conditions B.1., B.2., and F.1.

6. Reporting Requirements:

See Section C, General Conditions C.1., C.2., C.3., F.2., and G.2.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

STOCKPILES AND HAUL ROAD AND YARD AREA

Coal Preparation Plant:

02 (OS-1) Stockpile (Open) [Raw Coal Stacking Tube Silo from Conveyor (BC-01)]
Control: Water Spray

(OS-2) Stockpile (Open) (Direct Ship) [Clean Coal Stacking Tube Silo from Conveyors (BC-09) and (BC-17)]
Control: Water Spray

(OS-3) Stockpile (Open) [Clean Coal Stacking Tube Silo from Conveyors (BC-10), (BC-11), and (BC-18)]
Control: Water Spray

(OS-4) Stockpile (Open) [Clean Coal Stacking Tube Silo from Conveyor (BC-13)]
Control: Water Spray

(OS-5) Stockpile (Open) [Clean Coal Stacking Tube Silo from Conveyors (BC-12) and (BC-13)]
Control: Water Spray

(OS-6) Stockpile (Open) [Clean Coal Stacking Tube Silo from Conveyor (BC-14)]
Control: Water Spray

(OS-8) Stockpile (Open) (Truck Dump - Raw Coal)
Control: Water Spray

(OS-9) Stockpile (Open) (Truck Dump - Raw Coal)
Control: Water Spray

(OS-10) Stockpile (Open) [Raw Coal from Radial Stacker Conveyor (BC-29)]
Control: Water Spray

Portable Stoker Coal Tipple:

04 (OS-7) Stockpile (Open) [Raw Coal from Conveyor (BC-24)]
Control: Water Spray

Haul Road and Yard Area:

05 (-) Haul Road and Yard Area (Unpaved 1.25 miles)
Control: Water Spray

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Direct Ship:

07 (OS-11) Stockpile (Open) (Truck Dump - Clean Coal)
Control: Water Spray

ADDITIONS TO THE SOURCE

Portable Crushing / Screening Plant:

10 (OS-12) Stockpile (Open) (Raw Coal)
Control: Water Spray

(OS-13) Stockpile (Open) (Raw Coal)
Control: Water Spray

(OS-14) Stockpile (Open) (Raw Coal)
Control: Water Spray

Synfuel Plant:

11 (BC-30) Conveyor and Transfer Points (Pug Feed Belt) (36" x 60')
(Maximum Rated Capacity – 700 tons/hour)
[From Storage Bins (BS-02), (BS-03), (BS-04), and (BS-05) to Receiving Hopper (BS-16)]
Constructed: 2005
Control: Partial Enclosure

(BS-16) Receiving Hopper (Pug Mill)
(Maximum Rated Capacity – 700 tons/hour)
[To Conveyor (BC-31)]
Constructed: 2005
Control: Full Enclosure

(BC-31) Conveyor and Transfer Points (Pug Mixer Belt) (42" x 60')
(Maximum Rated Capacity – 700 tons/hour)
[From Receiving Hopper (BS-16) to Pug Mill Mixer (BS-17)]
Constructed: 2005
Control: Partial Enclosure

(-) Binder Silo
[To Pug Mill Mixer (BS-17)]
Constructed: 2005
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

ADDITIONS TO THE SOURCE (CONTINUED)

Synfuel Plant: (Continued)

11 (BS-17) Receiving Hopper (Pug Mill Mixer)
(Maximum Rated Capacity – 700 tons/hour)
[To Conveyor (BC-32)]
Constructed: 2005
Control: Full Enclosure

(BC-32) Conveyor and Transfer Points (Pug Discharge Belt) (48" x 100')
(Maximum Rated Capacity – 700 tons/hour)
[From Pug Mill Mixer (BS-17) to Conveyor (BC-33)]
Constructed: 2005
Control: Partial Enclosure

(BC-33) Conveyor and Transfer Points (Spreader Belt) (48" x 65')
(Maximum Rated Capacity – 700 tons/hour)
[From Conveyor (BC-32) to Spreader (-)]
Constructed: 2005
Control: Partial Enclosure

(-) Spreader
[From Conveyor (BC-33) to Briquetters #1, #2, and #3]
Constructed: 2005
Control: Full Enclosure

(-) Briquetter #1
[From Spreader to Conveyor (BC-34)]
Constructed: 2005
Control: Full Enclosure

(BC-34) Conveyor and Transfer Points (36" x 54')
(Maximum Rated Capacity – 300 tons/hour)
[From Briquetter #1 to Conveyor (BC-37)]
Constructed: 2005
Control: Partial Enclosure

(-) Briquetter #2
[From Spreader to Conveyor (BC-35)]
Constructed: 2005
Control: Full Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

ADDITIONS TO THE SOURCE (CONTINUED)

Synfuel Plant: (Continued)

11 (BC-35) Conveyor and Transfer Points (36" x 54')
(Maximum Rated Capacity – 300 tons/hour)
[From Briquetter #2 to Conveyor (BC-37)]
Constructed: 2005
Control: Partial Enclosure

(-) Briquetter #3
[From Spreader to Conveyor (BC-36)]
Constructed: 2005
Control: Full Enclosure

(BC-36) Conveyor and Transfer Points (36" x 54')
(Maximum Rated Capacity – 300 tons/hour)
[From Briquetter #3 to Conveyor (BC-37)]
Constructed: 2005
Control: Partial Enclosure

(BC-37) Conveyor and Transfer Points (Collecting Belt) (48" x 125')
(Maximum Rated Capacity – 700 tons/hour)
[From Conveyors (BC-34), (BC-35), and (BC-36) to Screen (SS-05)]
Constructed: 2005
Control: Partial Enclosure

(BC-38) Conveyor and Transfer Points (Recirculating Belt) (24" x 50')
(Maximum Rated Capacity – 100 tons/hour)
[From Conveyor (BC-37) to Spreader (-)]
Constructed: 2005
Control: Partial Enclosure

(BC-39) Conveyor and Transfer Points (36" x 65')
(Maximum Rated Capacity – 700 tons/hour)
[From Conveyor (BC-37) to Conveyor (BC-40)]
Constructed: 2005
Control: Partial Enclosure

(BC-40) Conveyor and Transfer Points (36" x 100')
(Maximum Rated Capacity – 700 tons/hour)
[From Conveyor (BC-39) to Direct Ship Bin (BS-15), Ground Storage, or Conveyor (BC-41)]
Constructed: 2005
Control: Partial Enclosure

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

ADDITIONS TO THE SOURCE (CONTINUED)

Synfuel Plant: (Continued)

11 (-) Stockpile (Synfuel) (Ground Storage)
Control: Water Spray

(-) Truck Loadout (Synfuel)
(Maximum Rated Capacity – 700 tons/hour)
[From Synfuel Stockpile (-)]
Constructed: 2005
Control: Minimum Drop Height

(BC-41) Conveyor and Transfer Points (36" x 115')
(Maximum Rated Capacity – 700 tons/hour)
[From Conveyor (BC-40) to Storage Bin (-)]
Constructed: 2005
Control: Partial Enclosure

(-) Storage Bin (Synfuel)
(Maximum Rated Capacity – 700 tons/hour)
[From Conveyor (BC-41) to Truck Loadout (-)]
Constructed: 2005
Control: Full Enclosure

(-) Truck Loadout (Synfuel)
(Maximum Rated Capacity – 700 tons/hour)
[From Synfuel Storage Bin (-)]
Constructed: 2005
Control: Minimum Drop Height

APPLICABLE REGULATIONS:

State Regulation 401 KAR 63:010, Fugitive emissions, applies to each of the affected facilities listed above.

1. Operating Limitations:

N/A

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. **Emission Limitations:**

a. The materials processed at each affected facility listed above shall be controlled with wet suppression, enclosures, and/or dust collection equipment so as to comply with the requirements specified in Regulation 401 KAR 63:010, Fugitive emissions, Section 3. Standards for fugitive emissions.

b. Pursuant to Regulation 401 KAR 63:010, Section 3 (1), no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored; a building or its appurtenances to be constructed, altered, repaired, or demolished, or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, when applicable, but not be limited to the following:

1) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
2) Application and maintenance of asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces which can create airborne dusts;
3) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or other similar operations.
4) Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne;
5) The maintenance of paved roadways in a clean condition;
6) The prompt removal of earth or other material from a paved street which earth or other material has been transported thereto by trucking or earth moving equipment or erosion by water.

c. Pursuant to Regulation 401 KAR 63:010, Section 3 (2), no person shall cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate.

d. Pursuant to Regulation 401 KAR 63:010, Section 3 (3), when dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance or to violate any administrative regulation, the Secretary may order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that all air and gases and air or air-borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. **Emission Limitations:** (Continued)

e. Pursuant to Regulation 401 KAR 63:010, Section 4, Additional Requirements, in addition to the requirements of Section 3 of this regulation, the following shall apply:

1) Pursuant to Regulation 401 KAR 63:010, Section 4 (1), open bodied trucks, operating outside company property, transporting materials likely to become airborne shall be covered at all times when in motion.

2) Pursuant to Regulation 401 KAR 63:010, Section 4 (4), no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway.

Compliance Demonstration Method:

See Section C, General Condition F.1.

3. Testing Requirements:

See Section C, General Condition G.3.

4. Monitoring Requirements:

See Section C, General Condition F.1.

5. Recordkeeping Requirements:

See Section C, General Conditions B.1.,B.2., and F.1.

6. Reporting Requirements:

See Section C, General Conditions C.1., C.2., C.3., F.2., and G.2.

SECTION C - GENERAL CONDITIONS

A. Administrative Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of State Regulation 401 KAR 52:040, Section 3(1)(b) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.

2. This permit shall remain in effect for a fixed term of ten (10) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 52:040, Section 15]

3. Any condition or portion of this permit, which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit.
[Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 11]

4. Pursuant to materials incorporated by reference by 401 KAR 52:040, this permit may be revised, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance shall not stay any permit condition. [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 4 and 5]

5. This permit does not convey property rights or exclusive privileges. [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 8].

6. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:040 Section 11(3)]

7. This permit shall be subject to suspension at any time the permittee fails to pay all fees within 90 days after notification as specified in State Regulation 401 KAR 50:038, Air emissions fee. The permittee shall submit an annual emissions certification pursuant to 401 KAR 52:040, Section 20.

8. All permits previously issued to this source, at this location, are hereby null and void.

SECTION C - GENERAL CONDITIONS (CONTINUED)

B. Recordkeeping Requirements

1. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of at least five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [Material incorporated by reference by 401 KAR 52:040, Sections 1b, IV. 2) and 1a, 7); and 401 KAR 52:040 Section 3(1)(f)]

2. The permittee shall perform compliance certification and recordkeeping sufficient to assure compliance with the terms and conditions of the permit. Documents, including reports, shall be certified by a responsible official pursuant to State Regulation 401 KAR 52:040, Section 21.

C. Reporting Requirements

1. a. In accordance with the provisions of State Regulation 401 KAR 50:055, Section 1 the permittee shall notify the Division for Air Quality's Hazard Regional Office concerning startups, shutdowns, or malfunctions as follows:
    i. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
    ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.

    b. The permittee shall promptly report deviations from permit requirements including those attributed to upset conditions [other than emission exceedances covered by Reporting Requirement condition 1 a) above], the probable cause of the deviation, and corrective or preventive measures taken; to the Division for Air Quality's Hazard Regional Office within 30 days. Other deviations from permit requirements shall be included in the semiannual report. [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1b. V. 3]

2. The permittee shall furnish information requested by the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the permit. [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 6].

3. Summary reports of any monitoring required by this permit shall be reported to the Division for Air Quality's Hazard Regional Office at least every six (6) months during the life of this permit. The summary reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official. All deviations from permit requirements shall be clearly identified in the reports. [401 KAR 52:040, section 21]

SECTION C - GENERAL CONDITIONS (CONTINUED)

D. Inspections

1. In accordance with the requirements of State Regulation 401 KAR 52:040, Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:

    a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
    b. To access and copy any records required by the permit;
    c. Inspect any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit.
    d. Sample or monitor substances or parameters to assure compliance with the permit or any applicable requirements.

    Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

E. Emergencies/Enforcement Provisions

1. The permittee shall not use as defense in an enforcement action, the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 3].

2. An emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
    a. An emergency occurred and the permittee can identify the cause of the emergency;
    b. The permitted facility was at the time being properly operated;
    c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
    d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency and included a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.

3. Emergency provisions listed in General Condition E.2 are in addition to any emergency or upset provision contained in an applicable requirement.

4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof.

SECTION C - GENERAL CONDITIONS (CONTINUED)

F. Compliance

1. Periodic testing or instrumental or non-instrumental monitoring, which may consist of record keeping, shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. For the purpose of demonstration of continuing compliance, the following guidelines shall be followed:
   a. Pursuant to State Regulation 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation at any time an affected facility for which the equipment and measures are designed is operated, except as provided by State Regulation 401 KAR 50:055, Section 1.
   b. All the air pollution control systems shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers. A log shall be kept of all routine and non routine maintenance performed on each control device. Daily observations are required during daylight hours of all operations, control equipment and any visible emissions to determine whether conditions appear to be either normal or abnormal. If the operations, controls and/or emissions appear abnormal, the permittee must then comply with the requirements of Section C – General Conditions, C.1.b., of this permit.
   c. A log of the monthly production rates shall be kept available at the facility. Compliance with the emission limits may be demonstrated by computer program (spread sheets), calculations or performance tests as may be specified by the Division.

2. Pursuant to State Regulation 401 KAR 52:040, Section 19, the permittee shall annually complete and return a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division's Hazard Regional Office in accordance with the following requirements:
   a. Identification of the term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period; and
   e. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality Hazard Regional Office 233 Birch Street, Suite 2 Hazard, KY 41701-2179	Division for Air Quality Central Files 803 Schenkel Lane Frankfort, KY 40601

3. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with all applicable requirements for:
   a. Applicable requirements included and specifically identified in the permit; or
   b. Non-applicable requirements expressly identified in this permit.

SECTION C - GENERAL CONDITIONS (CONTINUED)

G. New Construction Requirements:

1. Pursuant to State Regulation 401 KAR 52:040, Section 12(3), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or is not completed within a reasonable timeframe, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon a written request, the cabinet may extend these time periods if the source shows good cause.

2. Pursuant to State Regulations 401 KAR 52:040, Section 12(4)(a) and 401 KAR 59:005, General provisions, Section 3(1), within 30 days following construction commencement, within 15 days following start-up and attainment of maximum production rate, or within 15 days following the issuance date of this permit, whichever is later, the owner and/or operator of the affected facilities specified on this permit shall furnish to the Division's Hazard Regional Office, with a copy to the Division's Frankfort Central Office, the following:
   a. Date when construction commenced, (See General Condition G.1).
   b. Start-up date of each of the affected facilities listed on this permit.
   c. Date when maximum production rate was achieved, (See General Condition G.3.b).
   d. Summary reports, as referenced in Section C, C.3., of any monitoring required by this permit, for emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.
   e. The annual compliance certification, as referenced in Section C, F.2., for an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the compliance certification, shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

3. a. Pursuant to State Regulation 401 KAR 59:005, General provisions, Section 2(1), this permit shall allow time for the initial start-up, operation and compliance demonstration of the affected facilities listed herein. However, within 60 days after achieving the maximum production rate at which the affected facilities will be operated, but not later than 180 days after initial start-up of such facilities, the owner or operator shall demonstrate compliance to a duly authorized representative of the Division.
   b. Pursuant to State Regulation 401 KAR 59:005, General provisions, Section 3(1)(b), unless notification and justification to the contrary are received by this Division, the date of achieving the maximum production rate at which the affected facilities will be operated shall be deemed to be 30 days after initial start-up.

4. Operation of the affected facilities authorized by this permit shall not commence until compliance with applicable standards specified herein has been demonstrated in accordance with the requirements of State Regulation 401 KAR 52:040, Section 12(4)(b). Until compliance is demonstrated, the source may only operate for the purpose of demonstrating compliance.